

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

EDWIN LOPEZ-MULERO,
Plaintiff,

v.

CIVIL NO. 05-2346(DRD)

SONIA I. VELEZ-COLON, et al.,
Defendants

MOTION	ORDER
<p>Date Filed: 05/02/2006 Docket #19 <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: Motion for Judgment in Favor of Defendants and to Adjudicate Unopposed Amended Motion to Dismiss</p>	<p>GRANTED in part. The Court grants exclusively defendants request to deem as unopposed its Amended Motion to Dismiss due to plaintiff's failure to oppose said dispositive motion within the term provided by Local Civil Rule 7.1(b) ("[u]nless within ten (10) days after the service of a motion the opposing party files written objection thereto, incorporating a memorandum of law, the opposing party shall be deemed to have waived objection"). DENIED in part as to entering judgment. The fact that the plaintiff has failed to file its opposition does not translates as automatically granting the remedy sought in the dispositive motion. See, <i>Tavárez v. Champion Prods., Inc.</i>, 903 F.Supp. 268, 270 (D.Puerto Rico 1995) ("Although [failure to comply with Local Rule 311.12][at present Local Rules 7.1(b) and 56] does not signify an automatic defeat, it launches the nonmovant's case down the road toward an easy dismissal."). See also, <i>Cosme-Rosado v. Alfredo Serrano-Rodriguez</i>, 360 F.3d 42, 46 (1st Cir. 2004).</p>
<p>Date Filed: 05/03/2006 Docket #20 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Request for Additional Time to Respond to Defendant's Consolidated Motion to Dismiss</p>	<p>DENIED/MOOT. See ruling for defendants' motion at Docket Entry No. 19.</p>

IT IS SO ORDERED.

In San Juan, Puerto Rico this 5th day of May 2006.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE